

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RESMAN, LLC,

§

Plaintiff,

§

v.

§

CIVIL ACTION NO. 4:19-CV-00402

Judge Mazzant

KARYA PROPERTY MANAGEMENT,
LLC, and SCARLET INFOTECH, INC.
D/B/A EXPEDIEN, INC.

§

§

§

§

Defendants.

§

VERDICT FORM

We, the Jury, find as follows:

QUESTION 1. BREACH OF CONTRACT BY KARYA

Do you find by a preponderance of the evidence that Karya failed to comply with the Master Subscription Agreement?

YES

NO

✓

—

If you answered YES, proceed to the next question. Otherwise, proceed to Question #3.

QUESTION 2. COMPENSATORY DAMAGES FOR BREACH OF CONTRACT

What sum of money, if paid now in cash, would fairly and reasonably compensate ResMan for its damages proximately caused by any Karya's breach of the Master Subscription Agreement?

Please write amount in dollars:

Lost Profits: \$ 45,000.00

Proceed to the next question.

QUESTION 3. TORTIOUS INTERFERENCE WITH CONTRACT

Do you find that ResMan established by a preponderance of the evidence that Expedien intentionally interfered with the Master Subscription Agreement?

YES

NO

✓

—

If you answered YES, proceed to the next question. Otherwise, proceed to question Question #7.

QUESTION 4. TORTIOUS INTERFERENCE COMPENSATORY DAMAGES

What sum of money, if paid now in cash, would fairly and reasonably compensate ResMan for its damages, if any, proximately caused by any interference by Expedien with the Master Subscription Agreement between ResMan and Karya?

Please write amount in dollars:

Lost Profits: \$ 45,000.00

Unjust Enrichment: \$ 11,400,000.00

Proceed to the next question.

QUESTION 5. TORTIOUS INTERFERENCE EXEMPLARY DAMAGES

Do you find by clear and convincing evidence that the harm caused by Expedien's tortious interference with the Master Subscription Agreement resulted from malice or gross negligence?

YES

NO

✓

If you answered YES, proceed to the next question. Otherwise, proceed to Question #7.

QUESTION 6. TORTIOUS INTERFERENCE EXEMPLARY DAMAGES

What sum of money, if paid now in cash, should be assessed against Expedien and awarded to ResMan as exemplary damages, if any, for the conduct found in response to Question 5?

Please write amount in dollars:

Amount: \$ 30,000,000.00

Proceed to the next question.

QUESTION 7. EXISTENCE OF TRADE SECRETS

Do you find by a preponderance of the evidence the existence of one or more trade secrets?

YES

NO

✓

If you answered YES above, proceed to the next question. Otherwise, proceed to the last page.

QUESTION 8. OWNERSHIP OF TRADE SECRETS

Do you find by a preponderance of the evidence that ResMan owned those trade secrets?

YES

NO

✓

—

If you answered YES above, proceed to the next question. Otherwise, proceed to the last page.

QUESTION 9. MISAPPROPRIATION OF TRADE SECRETS

Do you find by a preponderance of the evidence that the following Defendants misappropriated ResMan's trade secrets?

YES

NO

Karya

✓

—

Expedien

✓

—

If you answered YES as to either Defendant above, proceed to the next question. Otherwise, proceed to the last page.

QUESTION 10. MISAPPROPRIATION OF TRADE SECRETS COMPENSATORY DAMAGES

What sum of money, if paid now in cash, would fairly and reasonably compensate ResMan for its damages, if any, proximately caused by Defendants' misappropriation of trade secrets?

Please write amount(s) in dollars:

As to Karya

Unjust Enrichment: \$ 9,400,000.00

As to Expedien

Unjust Enrichment: \$ 11,400,000.00

Proceed to the next question.

QUESTION 11. MISAPPROPRIATION OF TRADE SECRETS EXEMPLARY DAMAGES

Considering each Defendant individually, do you find by a preponderance of the evidence that the misappropriation of ResMan's trade secrets was willful and malicious?

YES NO

Karya ✓
Expedien ✓

If you answered YES as to either Defendant, proceed to the next question. Otherwise, sign and date the last page.

QUESTION 12. MISAPPROPRIATION OF TRADE SECRETS EXEMPLARY DAMAGES

What sum of money, if paid now and in cash, should be assessed against the following Defendants, if any, for the conduct found in response to Question #11?

Please write amount in dollars.

Karya: \$ 40,000,000.00

Expedien: \$ 50,000,000.00

Please sign and date below on the next page.

Foreperson's Initials

Date: 3/18/21